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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/652,209	09/02/2003	Nam-Il Cho	1572.1141	8613
21171	7590	07/22/2004	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			SEVER, ANDREW T	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 07/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/652,209	<b>Applicant(s)</b> CHO ET AL. 	
	<b>Examiner</b> Andrew T Sever	<b>Art Unit</b> 2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☒ Claim(s) 1 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 1 is objected to because of the following informalities: grammar. Appropriate correction is required.

Claim 1 is objected to because minor grammatical errors, for example claim 1 reads in part "a pair of CRT bracket" which would be better written "a pair of CRT brackets".

Other errors may be present, applicant is requested to review all claims for proper grammatical wording; appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-21, and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikawa et al. (US 5,808,704.)

Yoshikawa teaches in figures 6, 8, a projection television comprising a CRT assembly projecting image beams and first (front casing is the part cut away in figure 6) and second casings (back casing shown in figure 8, part 15) provided respectively on opposite sides of the CRT assembly (CRT assembly is shown in figure 6) the projection television, further comprising:

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A pair of CRT brackets (ledges D are part of brackets as well as the entire sides 13 which one with ordinary skill in the art at the time the invention was made would recognize as brackets for supporting the CRT assembly), provided between the first and second casings, to support the CRT assembly.

*With regards to applicant's claim 2:*

Yoshikawa teaches in figure 21 a third casing provided between the first and second casing comprising of two side panels (38), given that these are attached to the back casing which is attached to CRT bracket inherently the CRT bracket is connected to the side panels.

*With regards to applicant's claims 3, 5, 8, 9:*

The CRT combination part is shown in figure 6 holding the CRT assemblies at a slant angle and is disposed on a supporting rib (part D of the bracket which is a fin)

*With regards to applicant's claim 4:*

As discussed with regards to claim 2 and as can be discerned from figure 8, clearly the sidewalls are connected to the support part 10, which serves as the bracket, since the ribs are integral to the bracket, clearly the third casing would be connected to the CRT supporting rib.

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*With regards to applicant's claims 6 and 7:*

Although Yoshikawa does not specifically teach using screws to attach the CRT combination part to the CRT assembly, figure 6 clearly shows what appears to be first screw holes for connecting it to the brackets and figure 8 shows numerous holes by which the brackets connects to the second and third casings. It is well known in the projection arts to connect the casings and components by screws through screw holes, accordingly it would have been obvious to provide the holes and screws to connect the parts. (For example see figure 2 of US 6,616,283 to Takano et al., which teaches that numerous screws are used to attach a projector assembly to the housing of a rear projection television.

*With regards to applicant's claim 10:*

When assembled every part is connected to every part therefore the first casing is connected to the CRT supporting rib.

*With regards to applicant's claims 11-14:*

As discussed in columns 13 and 14 for example lines 58-66 of column 13, various components of the projection television can be made of resin wood or metal with as taught in lines 1-20 of column 14 those serving as connection points or near electronics being metal which one of ordinary skill in the art would recognize would obviously block EMI (as well as be useful for its durability.)

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*With regards to applicant's claims 15-21, 25, and 26:*

See above where the bracket of a projection television is described in relationship to the projection television.

*With regards to applicant's claim 24:*

See figure 22, which clearly shows that the CRT supporting part has a U-shaped cross section.

4. Claims 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikawa et al. as applied to claims 1-21 and 24-26 above, and further in view of Lowe (US 6,545,729.)

As described in more detail above Yoshikawa teaches a projection television having a CRT bracket to support a CRT assembly in a projection television having a casing made of three parts (first, second, and third casings). The bracket has a CRT supporting rib, a CRT combination part which is connected to the supporting rib with a specific relationship. Yoshikawa does not specifically teach how the second casing is made.

Both molding and pressing are well known means for making a casing especially out of plastic. Lowe teaches in column 1 various means including molding, and vacuum pressing for forming the casing of a projection television, as well as elsewhere other methods of forming the casing out of foam. Given that all these methods are well known ways of forming casings and well within the skill of one of ordinary skill in the art at the time the invention was made, it would have been obvious to one of ordinary skill in the

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art at the time the invention was made to make the second casing either by molding it or pressing it.

### ***Double Patenting***

5. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

6. Claim 1-26 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 3-8, 10 and 11 of copending Application No. 10/453,504 (as presented in US 2004/0041953) in view of Yoshikawa as applied above.

Claims 3-8, 10 and 11 and the associated independent claim that they are dependent on of the copending application '504 claim the particulars of the CRT bracket as well as the CRT assembly, however they do not specifically claim first, second, and third casings (although one of ordinary skill in the art would recognize that top and bottom casings as claimed in claim 12 and 14 would constitute first and second casings). The teaching of first, second, and third casings is provided by Yoshikawa as described in the above 35 USC 103 rejection. Given the modular casing described by Yoshikawa is well known in the art and is useful from both an

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assembly perspective as well as a cooling perspective as taught in column 22, it would be obvious to use such a structure in the '504 projection television.

This is a provisional obviousness-type double patenting rejection.

7. Claim 1-26 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of copending Application No.

10/702,503 (as presented in US 2004/0114058) in view of Yoshikawa as applied above.

Claims 18, 2, 3, 6-8 and the associated independent claims that they are dependent on of the copending application '503 claim the particulars of the CRT bracket (grip portions) as well as the CRT assembly, however they do not specifically claim first, second, and third casings. The teaching of first, second, and third casings is provided by Yoshikawa as described in the above 35 USC 103 rejection. Given the modular casing described by Yoshikawa is well known in the art and is useful from both an assembly perspective as well as a cooling perspective as taught in column 22, it would be obvious to use such a structure in the '503 projection television.

This is a provisional obviousness-type double patenting rejection.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US 6,661,473 to Teshima et al. teaches for example in figure 8 a CRT assembly and bracket (19).



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US 5,559,564 to Nomura teaches in figure 1A a projection television with a CRT assembly and bracket which appears similar to applicant's disclosed apparatus.


US 4,394,681 to Rowe teaches in figure 5B a prior art CRT support mechanism.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew T Sever whose telephone number is 571-272-2128. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AS



**David Gray**  
Primary Examiner